

O I P E
OCT 17 2003
PATENT & TRADEMARK OFFICE
Docket No.: 3350-031F
File No.: 1158.41324CC6
Client Ref.: BillPay-F

PATENT

AF/3625

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of

Peter J. Kight et al.

Serial No. 09/540,011

Filed: March 31, 2000

For: BILL PAYMENT SYSTEM AND METHOD WITH A MASTER MERCHANT

SUPPLEMENT TO APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 16, 2003

Sir:

This Supplement Appeal Brief is submitted further to the Appeal Brief filed on October 8, 2003.

RECEIVED
OCT 21 2003
GROUP 3600
JN
10/31/03

REMARKS

An Appeal Brief was filed on October 8, 2003 in support of the Notice of Appeal filed on August 8, 2003.

The Claim Appendix was inadvertently not attached to the Appeal Brief as filed.

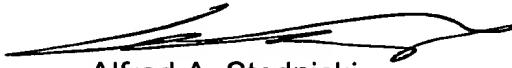
Accordingly, the Claim Appendix (pages 6-12 of the Appeal Brief) are submitted herewith.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

To the extent necessary, Applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No. 1158.41324CC6) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Alfred A. Stadnicki
Registration No. 30,226

1300 North Seventeenth Street
Suite 1800
Arlington, VA 22209
Tel.: 703-312-6600
Fax.: 703-312-6666

AAS/slk

CLAIM APPENDIX

Claim 36: A method for paying bills, comprising the steps of:
receiving, via a network, a request to pay a bill associated with a merchant
on behalf of a consumer;

determining if the merchant is included in a master merchant file
database;

adding the merchant to the master merchant file database if the merchant
is determined to not be included in the master merchant file database; and
processing the request to generate an instruction to pay the bill.

Claim 37: A method for maintaining a master merchant file database,
comprising the steps of:

receiving a list identifying merchants from a consumer;
searching a master merchant file database, including information
associated with merchants that has been received from other consumers, to
determine if information associated with one of the identified merchants is
included in the master merchant file database; and

adding information associated with the one identified merchant to the
master merchant file database if information associated with the one identified
merchant is determined not to be included in the master merchant file database.

Claim 38: The method of claim 37, further comprising the steps of:
receiving, via a network, a request to pay a bill associated with a merchant

on behalf of the consumer;

searching the master merchant file database to determine if information associated with the merchant is included in the master merchant file database;

adding information associated with the merchant to the master merchant file database if information associated with the merchant is determined to not be included in the master merchant file database; and

processing the request to generate an instruction to pay the bill.

Claim 39: A method for processing consumer supplied payment records, comprising the steps of:

receiving from a consumer a plurality of payment records, each of the plurality of payment records identifying a merchant;

determining if the merchant identified in each of the plurality of payment records is included in a master merchant file database; and

adding the identified merchant to the master merchant file database, if it is determined that the identified merchant is not included in the master merchant file database.

Claim 40: The method of claim 39, wherein the master merchant file database includes merchants identified by other consumers.

Claim 41: A system for paying bills, comprising:

a network interface configured to receive a request to pay a bill associated

with a merchant on behalf of a consumer;

a storage device configured to store a master merchant file database; and

a processor configured to search the stored master merchant file database to determine if the merchant is included in the master merchant file database, to add the merchant to the master merchant file database if the merchant is determined to not be included in the master merchant file database, and to generate an instruction to pay the bill.

Claim 42: A system for maintaining a master merchant file database, comprising:

a network interface configured to receive a list of merchants from a consumer;

a storage device configured to store a master merchant file database including merchants identified by other consumers; and

a processor configured to search the master merchant file database to determine if each of the merchants on the received list is included in the master merchant file database and to add the merchant from the list to the master merchant file database, if that merchant is determined to not be included in the master merchant file database.

Claim 43: The system of claim 42, wherein:

the network interface is further configured to receive a request to pay a bill associated with another merchant on behalf of the consumer; and

the processor is further configured to:

search the master merchant file database to determine if the other merchant is included in the master merchant file database;

add the other merchant to the master merchant file database if the other merchant is determined to not be included in the master merchant file database; and

process the request to generate an instruction to pay the bill.

Claim 44: A system for processing consumer supplied payment records, comprising:

a network interface configured to receive a plurality of payment records from a consumer, each of the plurality of payment records identifying a merchant;

a storage device configured to store a master merchant file database; and

a processor configured to search the master merchant file database to determine if the merchant identified in each of the plurality of payment records is included in the master merchant file database and to add the identified merchant to the master merchant file database if that merchant is determined not to be included in the master merchant file database.

Claim 45: The system of claim 44, wherein the master merchant file database includes merchants identified by other consumers.

Claim 46: An article of manufacture for paying bill, comprising:

a computer readable medium; and

computer programming stored on the medium;

wherein the stored computer programming is configured to be readable from the computer readable medium by a computer to thereby cause the computer to operate so as to:

receive, via a network, a request to pay a bill associated with a merchant on behalf of a consumer;

determine if the merchant is included in a master merchant file database;

add the merchant to the master merchant file database if the merchant is determined to not be included in the master merchant file database; and

process the request to generate an instruction to pay the bill.

Claim 47: An article of manufacture for maintaining a merchant database, comprising:

a computer readable medium; and

computer programming stored on the medium;

wherein the stored computer programming is configured to be readable from the computer readable medium by a computer to thereby cause the computer to operate so as to:

receive a list identifying merchants from a consumer;

search a master merchant file database including merchants identified by other consumers to determine if each of the identified merchants is included in

the master merchant file database; and

add the identified merchant to the master merchant file database if that merchant is determined to not be included in the master merchant file database.

Claim 48: The article of manufacture according to claim 47, wherein the computer readable medium is further readable to cause the computer to:

receive, via a network, a request to pay a bill associated with another merchant on behalf of the consumer;

search the master merchant file database to determine if the other merchant is included in the master merchant file database;

add the other merchant to the master merchant file database if the other merchant is not included in the master merchant file database; and

process the request to generate an instruction to pay the bill.

Claim 49: An article of manufacture for processing consumer supplied payment records, comprising:

a computer readable medium; and

computer programming stored on the medium;

wherein the stored computer programming is configured to be readable from the computer readable medium by a computer to thereby cause the computer to operate so as to:

receive a plurality of payment records from a consumer, each of the plurality of payment records identifying a merchant;

determine if the identified merchant is included in a master merchant file

database; and

add the identified merchant to the master merchant file database if that merchant is determined to not be included in the master merchant file database.

Claim 50: The article of manufacture according to claim 49, wherein the master merchant file database includes merchants identified by other consumers.